

Relief of Distress (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

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Make temporary provision for the Supply of Seed Potatoes to Occupiers and Cultivators of Land, and for other purposes relating to the Relief of Distress in Ireland. A D. 1905.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5 1.—(1) Where at any time before the *first day of September, nineteen hundred and five*, the guardians of any poor law union satisfy the Local Government Board that the occupiers of land in any electoral division of their union are generally unable through poverty to procure an adequate supply of seed potatoes, the guardians, with the sanction of the Local Government Board, may provide the same for the use of that electoral division. Powers of guardians to supply seed potatoes.
- 10 guardians, with the sanction of the Local Government Board, may provide the same for the use of that electoral division.

(2) The expenses of the execution of this Act by the guardians shall be defrayed out of the poor rate, and shall be a union charge.

2. —(i) The guardians may apply to the Local Government Board for a loan under this Act for the purpose of providing such seed potatoes, and the Local Government Board may approve of the application, and in that case shall transmit it to the Board of Works, who may, with the consent of the Treasury, make, out of any moneys at their disposal for the purpose of local loans, a loan to the guardians on the security of the poor rate without requiring any further or other security. Making and repayment of loans.
- 15 Board for a loan under this Act for the purpose of providing such seed potatoes, and the Local Government Board may approve of the application, and in that case shall transmit it to the Board of Works, who may, with the consent of the Treasury, make, out of any moneys at their disposal for the purpose of local loans, a loan to the guardians on the security of the poor rate without requiring any further or other security.
- 20 loans, a loan to the guardians on the security of the poor rate without requiring any further or other security.

- (2) Every such loan shall be repayable by the guardians to the Board of Works by two equal instalments, the first of which shall be paid on the *first day of February, nineteen hundred and seven*, and the second on the *first day of February, nineteen hundred and eight*, with interest at the rate of *three and a half per cent. per annum* on the loan or any outstanding balance thereof
- 25 *seven*, and the second on the *first day of February, nineteen hundred and eight*, with interest at the rate of *three and a half per cent. per annum* on the loan or any outstanding balance thereof

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A.D. 1805. from the date of the advance to the date of repayment, and the poor rate leviable in the union shall without any deed of mortgage or other instrument become, on the date of the loan, charged with the repayment thereof and interest by the said instalments.

(3) If at any time the Board of Works certify that any sum is payable to them by the guardians of any union on account of any loan or interest under this Act the Local Government Board shall, by order under their seal, assess that sum on the union and send copies of the order to the guardians and to the treasurer of the union; and within *one month* of the receipt of the copy of the order the treasurer of the union shall, out of any money then in his hands to the credit of the guardians, or if such money is insufficient, then out of all moneys subsequently received by him on account of the guardians, pay the amount mentioned in the order to the Board of Works.

*Application
of loans.*

3. The guardians may apply the whole or any part of a loan obtained under this Act in defraying the costs and expenses incurred in the purchase of seed potatoes and in providing them for sale, including the cost of carriage and storage and all incidental expenses, and shall when required by the Local Government Board repay to the Board of Works any portion of the loan which is not so applied.

*Sale of seed
potatoes.*

4. The guardians shall sell the said seed potatoes, subject to the following provisions:—

- (1) The sale shall not be made to a person unless he is either a small occupier, that is to say, an occupier of land the rateable value of which does not exceed *fifteen pounds*, or a cultivator, that is to say, a person who cultivates for his own use any land under a contract made by him with the occupier of the land :
- (2) The price shall be fixed so as to cover all expenditure charged upon or payable out of the poor rate leviable in the union, for or on account of the seed potatoes sold, whether in respect of money borrowed and interest or otherwise :
- (3) The quantity of seed potatoes sold to a small occupier shall not exceed twelve hundredweight :
- (4) The quantity of seed potatoes sold to a cultivator shall not exceed six hundredweight, and the sale shall only be made on the guardians obtaining such security as they think sufficient for the payment of the price :

(5) Seed shall not be sold to any person unless the guardians, or such persons as the Local Government Board may nominate in that behalf, are satisfied that the land into which it is to be put has been properly prepared, and is ready for sowing : A.D. 1905.

(6) Upon a sale under this section of any seed all sums received in cash on delivery shall, where a loan has been made under this Act for the purchase of the seed, be paid by the guardians to the Board of Works at the prescribed times, and be applied in repayment of the loan.

5.—(1) The amount due to the guardians on account of any seed sold by them, and not paid for in cash on delivery, shall be paid by two equal instalments, and the guardians shall certify, on or before the *first day of January* in the years *nineteen hundred and six and nineteen hundred and seven*, the amount of each instalment to the council of the county comprising the electoral division affected. Recovery of price from purchasers.

(2) For obtaining payment of each instalment due from any person the county council shall levy the amount, where the person is rated to the poor rate, either as part of the poor rate payable by that person, or by a special rate to be added to the poor rate assessed on the tenements occupied by him and to be collected therewith.

(3) Where any such person is not rated to the poor rate, the county council shall make a special rate for the purposes of this Act to which he shall be rated.

(4) Every such special rate shall be recoverable in the same manner and with the same remedies by the collectors of the poor rate as if it were poor rate, and shall be paid by the county council to the guardians.

(5) Provided that no person shall be entitled to make any deduction from his rent on account of any such special rate.

(6) The first of such special rates shall be made at the same time as the first ordinary poor rate made after the *first day of January nineteen hundred and six*, and the second of such special rates shall be made at the same time as the first ordinary poor rate made after the first day of January nineteen hundred and seven.

(7) The first instalment payable by each purchaser of seed shall be due on the day on which the first of such special rates

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is made, and the second instalment shall be due on the day on which the second of such special rates is made. Any such instalment may be paid to the guardians at any earlier date.

Power to appoint inspectors, and approval of purchases.

6.—(1) The Local Government Board may, with the consent of the Treasury, appoint inspectors to assist the guardians in the purchase of seed under this Act, and in all arrangements for the inspection, storage, and distribution of the same.

(2) All purchases under this Act by guardians shall be made subject to the approval of the Local Government Board.

Rules and regulations.

7. The Local Government Board may make general rules and regulations as regards—

- (a) the times and manner of summoning and holding meetings of guardians for the purposes of this Act;
- (b) the time within which applications for loans are to be made under this Act;
- (c) the information to be given by guardians to the Local Government Board in respect of the persons in the several electoral divisions in the unions who are in need of, but are unable to procure, seed potatoes, and who the guardians believe would be willing to purchase them under this Act;
- (d) the forms of all estimates, circulars, notices, and receipts to be used by the guardians under this Act;
- (e) the times at which, where a loan has been made under this Act, sums received by guardians as the price of seed paid for either in cash or by special rate or otherwise, are to be paid to the Board of Works; and
- (f) any other matter or thing, whether similar or not to those before mentioned, in respect of which it may seem to the Local Government Board expedient to make rules and regulations for the purpose of carrying this Act into effect.

Savings.

8. Nothing in this Act shall prejudice or affect any proceedings which might have been instituted by the Board of Works or by any guardians for the enforcement of any contract or the recovery of any debt.

Temporary advances for relief of distress.

9. The guardians of any union may, at any time before the first day of September nineteen hundred and five, with the sanction of the Local Government Board, obtain, for the purpose of

relieving distress in their union, temporary advances of such amount and for such period and repayable in such manner as that Board may sanction, and may mortgage their property and funds to secure such advances.

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- 5 10. If at any time within *nine months before the passing of this Act* the Board of Works have advanced any loan to any guardians, or any guardians have purchased any seed potatoes or borrowed any money for such purpose or for any other purpose relating to the relief of distress, or done any other act in relation
10 to such seed or borrowing, and such advance, purchase, borrowing, or thing would have been valid if this Act had previously passed, the same shall be deemed to have been validly done in like manner as if it had been done in pursuance of this Act, and the loan shall be repaid and may be recovered, and all orders made and things done
15 by the Local Government Board in relation to any of the matters aforesaid shall be as valid and effectual as if they had been made or done in pursuance of this Act.

Repayment of loans made by Board of Works and confirmation of expenditure, &c.

- 20 11. No electoral disability or loss of parliamentary or other franchise shall be incurred by any voter by reason of the purchase of seed under this Act, or of a grant of outdoor relief having been made to him under the authority of an order made by the Local Government Board, under section thirteen of the Local Government (Ireland) Act, 1898, before the *first day of August nineteen hundred and five*.

Purchase of seed or grant of outdoor relief not to involve electoral disability.
61 & 62 Vict. c. 37.

- 25 12. In this Act—

Definitions.

The expression "rateable value" means the annual rateable value under the Irish Valuation Acts, and, where any land occupied is not separately valued under those Acts, means such value as the guardians of the union determine would be the rateable value if such premises were so
30 separately valued:

The expression "the Local Government Board" means the Local Government Board for Ireland:

The expression "the Board of Works" means the Commissioners of Public Works in Ireland:

- 35 The expression "guardians" means a board of guardians:

The expression "prescribed" means prescribed by rules made in pursuance of this Act.

- 40 13. This Act may be cited as the Relief of Distress (Ireland) Act, 1905.

Short title.

Relief of Distress (Ireland).

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To make temporary provision for the
Supply of Seed Potatoes to Occupiers
and Cultivators of Land, and for
other purposes relating to the Relief
of Distress in Ireland.

Presented by Mr. Long,

supported by

Mr. Attorney-General for Ireland.



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